

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
PHB CATALYST GROUP, INC.,

Plaintiff,

Civil Action No. 08CV02796

-against-

RIVER TERRACE APARTMENTS, LLC,

Defendant.

-----X  
**MOTION FOR ENTRY  
OF DEFAULT JUDGMENT**

NOW COMES the plaintiff and, pursuant to Fed. R. Civ. P. 55, and Rule 55.2 of the Civil Rules for the Southern District of New York, requests that the Court enter default judgment pursuant to plaintiff's Verified Complaint against defendant River Terrace Apartments, LLC ("River Terrace"), for its failure to timely answer or otherwise respond to the Verified Complaint.

In support of this motion plaintiff submits the Affidavit of Sergey Leonidov, sworn to on April 22, 2008, together with the exhibits attached thereto, as if fully stated herein.

As described in the Affidavit of Sergey Leonidov submitted herewith, plaintiff seeks the money owed to it for the construction work it performed at a real property owned by defendant, pursuant to a contract with defendant, and on defendant's consent and direction. By the Verified Complaint plaintiff also seeks a determination that it has a valid mechanic's lien against defendant's property where plaintiff performed the work, and an order that said defendant's property be sold and plaintiff be paid out of the proceeds of the sale.

Clerk's Certificate of default and a proposed form of judgment against defendant are attached hereto.

Dated: New York, New York  
April 22, 2008

Peckar & Abramson, P.C.,  
Attorneys for Plaintiff

By   
Sergey Leonidov (SL-4579)

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New York, NY 10010  
(212) 382-0909

TO: River Terrace Apartments, LLC  
Via Secretary of the State of New York

River Terrace Apartments, LLC  
515 East 72<sup>nd</sup> Street  
New York, NY 10021